

Recognizing and Responding to Stalking

Sexual Assault Prevention and Response
Fort Belvoir, VA
May 8, 2015

Stalking
resource center

www.victimsofcrime.org/src

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Stalking Resource Center
National Center for Victims of Crime

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Stalking
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Training Technical Assistance Resources

- Statutes
- Legislative Updates
- Manuals/Guides
- Videos
- Clearinghouse

THE NATIONAL CENTER FOR
Victims of Crime

The Stalking Resource Center is a program of the National Center for Victims of Crime. The mission of the Stalking Resource Center is to enhance the ability of professionals, organizations, and systems to effectively respond to stalking. The Stalking Resource Center envisions a future in which the criminal justice system and its many allied community partners will effectively collaborate and respond to stalking, improve victim safety and well-being, and hold offenders accountable.

The Stalking Resource Center provides training, technical assistance, and resource materials for professionals working with and responding to stalking victims and offenders.

Overview

- Define stalking
- Dynamics of stalking
 - Use of technology to stalk
 - Intersection of stalking and intimate partner violence and sexual assault
- Working with victims
 - Threat assessment & safety planning

Defining Stalking

Behavioral

Uniform Code of Military Justice

Stalking

A pattern of behavior directed at a specific person that would cause a reasonable person to feel fear.



Stalking

A pattern of behavior directed at a specific person that would cause a reasonable person to feel fear.

Context is critical!

Understanding Stalking – Context

- Something may be frightening for the victim but not to you
- Stalking behaviors often have specific meaning that is only understood between offender & victim
- Stalking criminalizes otherwise non-criminal behavior



UCMJ – Article 120a

(a) Any person subject to this section--

- (1) who wrongfully **engages in a course of conduct directed at a specific person that would cause a reasonable person to fear** death or bodily harm, including sexual assault, to himself or herself or a member of his or her immediate family;
- (2) who has knowledge, or should have knowledge, that the specific person will be placed in reasonable fear of death or bodily harm, including sexual assault, to himself or herself or a member of his or her immediate family; and
- (3) whose acts induce reasonable fear in the specific person of death or bodily harm, including sexual assault, to himself or herself or to a member of his or her immediate family;

is guilty of stalking and shall be punished as a court-martial may direct.

(b) In this section:

(1) The term 'course of conduct' means--

(A) a repeated maintenance of visual or physical proximity to a specific person; or

(B) a repeated conveyance of verbal threat, written threats, or threats implied by conduct, or a combination of such threats, directed at or toward a specific person.

(2) The term 'repeated', with respect to conduct, means two or more occasions of such conduct.

(3) The term 'immediate family', in the case of a specific person, means a spouse, parent, child, or sibling of the person, or any other family member, relative, or intimate partner of the person who regularly resides in the household of the person or who within the six months preceding the commencement of the course of conduct regularly resided in the household of the person.

Stalking Dynamics

18 – 24 year olds
experience the
highest rates of
stalking

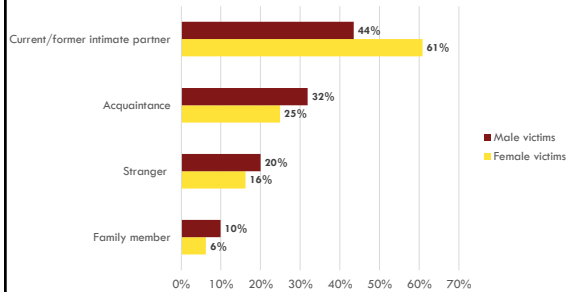
Women are more
likely to experience
stalking

Most offenders are
male

The majority of
victims know the
offender

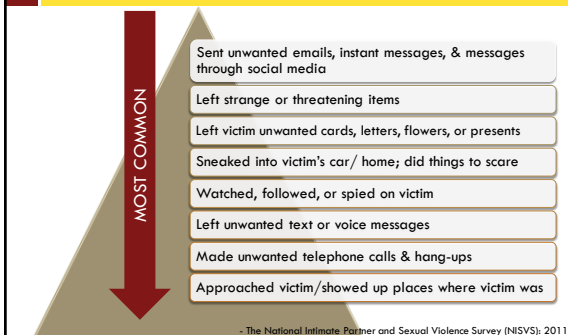
- The National Intimate Partner and Sexual Violence Survey (NISVS), 2010 Summary Report (2011)

Victim & Offender Relationship



- The National Intimate Partner and Sexual Violence Survey (NISVS): 2011

Stalker Tactics

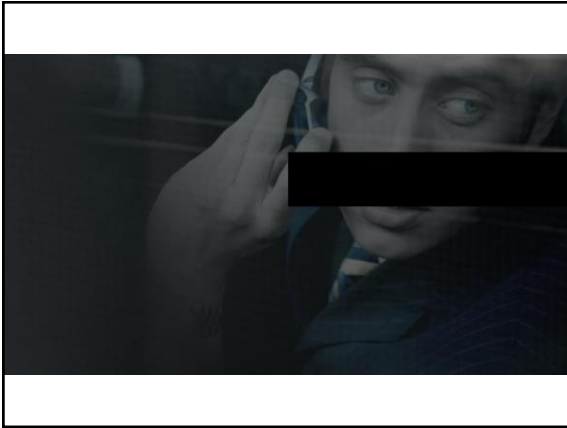


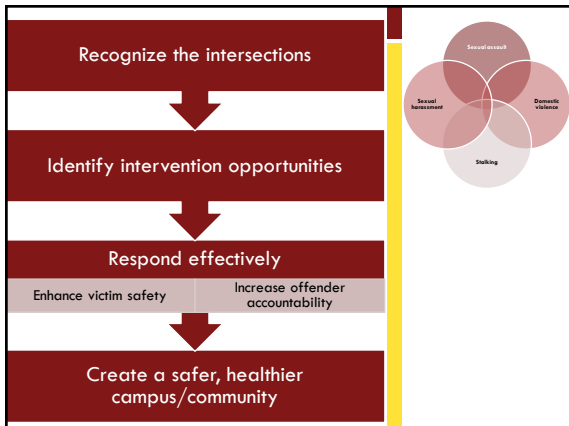
- The National Intimate Partner and Sexual Violence Survey (NISVS): 2011

Use of Technology to Stalk

- ☐ Phones – calls, SMS, MMS
- ☐ Fax machines
- ☐ Cameras
- ☐ Global Positioning Systems (GPS)
- ☐ Location based services
- ☐ Computers
- ☐ Spyware
- ☐ Email & IM
- ☐ Social networking sites
- ☐ Assistive technologies



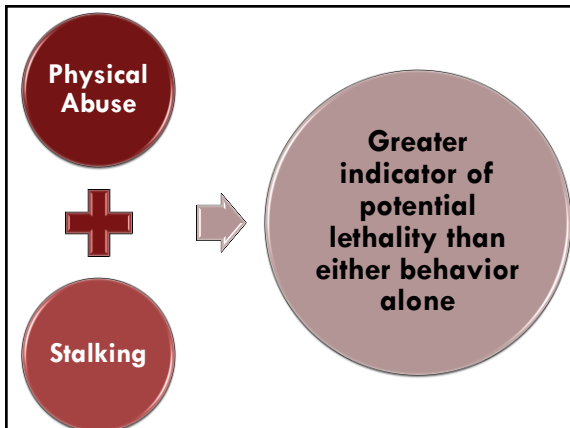




Stalking, Domestic, & Dating Violence

Intimate Partner Stalking

- Intimate partner stalkers are the most dangerous stalkers
 - More likely to physically approach victim
 - More insulting, interfering and threatening
 - More likely to use weapons
 - Behaviors more likely to escalate quickly
 - More likely to re-offend
- Intimate partner stalking victims experience higher rates of stalking violence
- Stalking is a risk factor in intimate partner homicide



Stalking and Sexual Assault

Prevalence

Sexual Assault

- **1.9 million women** were raped in 1 year in U.S.
- **19% of women** and **2% of men** have been raped during their lifetimes

Stalking

- **5.1 million women** stalked in 1 year in U.S.
- **2.4 million men** stalked in 1 year
- **15% of women** and **6% of men** stalked in their lifetime

- The National Intimate Partner and Sexual Violence Survey (NISVS) 2011

How might
stalking and
sexual assault
intersect?

Intersection of Stalking & Sexual Assault

Stalker threatens to sexually assault the victim

Stalker attempts to get someone else to assault the victim

Stalker sexually assaults the victim

Threatening Sexual Assault

Man jailed for sexually assaulting 3 women, exposing himself to 2 others

BY BRUCE CAMPBELL, CANADIAN JOURNALIST

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In December 2010, he was sentenced to 41 months in prison and three years of supervised release after pleading guilty to charges of cyber stalking and threatening communications after he made harassing phone calls to women at more than 1,200 numbers in Canada and the United States.

Leonard threatened female victims with "graphic and explicit threats of sexual assault and rape." Some of the calls were to women he knew. Court documents show Leonard electronically disguised his voice, and the calls had also been put through an electronic service to make them appear to come from a variety of area codes and numbers.

Getting Someone Else to Commit Sexual Assault

Case example

- Victim dated the defendant for 3 1/2 years
- They lived together for part of that time
- Victim was bartender/waitress
- Defendant worked for a communications company
- Broke up, primarily because of defendant's substance use

Victim applied for TRO about 1 month after break-up.

Defendant repeatedly showed up at her work and called her.

Victim's friend saw defendant throw about 50 pictures of victim in parking lot of her work. Many of them were nude photos.

Defendant denied drug use, denied distributing photos, denied repeatedly calling, and denied harassing victim at her work.

RO granted one month after break-up.

After the restraining order:

Fliers plastered around victim's work, college, and neighborhood.

All had nude photos, and various pieces of identifying information about her: including; her name, home address, home phone number, social security number and work location.

Many encouraged men to contact the victim for sex.

Craig's List Posting

- ❑ Five months after break-up: Victim discovered nude photos were posted of her on Craig's List under Exotic Services.
- ❑ Caption read: "Seeking a lot of anythings."
- ❑ Victim was approached by men with fliers from the Craig's List posting and received phone calls from random men.
- ❑ Victim changed her phone number and moved due to her fear of being sexually assaulted as a result of the fliers and postings.

Search Warrant

- ❑ Approximately 6 months after victim received restraining order, a search warrant was executed on defendant's home.
- ❑ Copies of all the photos and fliers were found as well as drugs, counterfeit money, and several guns including a sawed off shotgun.

Results

- Defendant pled guilty prior to the preliminary hearing.
- Pled guilty to stalking, possession of a controlled substance, possession of forged items and possession of a sawed off shotgun.
- Ultimately sent to prison for 2 years.

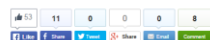
Impact on Survivor

When interviewed, the victim stated: "My whole life has changed. I have become paranoid. I am distrustful of men. I am afraid to go shopping alone or have my picture taken. I have had to move. At night, if I'm driving and someone follows me for more than a block, I pull over. I have nightmares all the time. I continue to be harassed by the defendant's friends who blame me for his predicament."

Wyoming Craigslist Rape

Jebidiah Stipe, Wyoming Marine, Solicited Ex-Girlfriend's Rape And Assault On Craigslist

Posted: 04/07/2016 9:12 am EDT | Updated: 05/25/2011 9:20 pm EDT



A woman was brutally bound and raped on December 11 at her home in Casper, Wyoming, but the assailant thought he was replying to a Craigslist ad.

Ty McDowell, a local man, responded to an ad on Craigslist he thought was posted by a woman named 'Sara.'

The ad asked for a 'real aggressive man' to rape her inside her home, claiming it was a fantasy for the woman. The post listed the woman's address and a picture.

As it turns out, the woman did not post the ad at all. Rather, her ex-boyfriend, a Marine named Jebidiah Stipe, posted the ad without her knowledge.

McDowell is now facing rape charges. Stipe is charged with being an accomplice to a rape.

WATCH KDVX's Report On The Shocking Crime:

Stalking and Sexual Assault

2% of stalking victims were raped/sexually assaulted by their stalker

- Stalking Victimization in the United States, BJS (2009)

31% of women stalked by her intimate partner were also sexually assaulted by that partner

- National Violence Against Women Survey, Tjaden & Thoennes (1998)

Stranger vs. Non-Stranger Rape

Stranger Rapist

- ☐ Watch potential victims
 - ☐ Learn routines
 - ☐ Identify vulnerabilities
- ☐ Gather information
 - ☐ Use to disarm victim

Might be consider this behavior as stalking?

Non-Stranger Rapists

- ☐ Do they engage in the same types of behaviors?

The Undetected Rapist

1,882 men interviewed as part of the study...all were volunteer participants

Sample question:

Have you ever had sexual intercourse with an adult when they didn't want to because you used physical force (twisting their arm; holding them down, etc.) if they didn't cooperate?

Lisak, David. Repeat Rape and Multiple Offending Among Undetected Rapists, Violence and Victims, Vol. 17, No. 1, 2002.

Of the **1,882** men:

- 120 (6.4%) met criteria for rape or attempted rape
 - 76 reported committing multiple rapes
 - 120 committed a total of 483 rapes, but the **76 repeat rapists** committed **439** of them (average of 5.8 each).
- 70 of the 120 admitted to other acts of interpersonal violence, including battery, physical/sexual abuse of kids, and sexual assault short of rape/attempted rape.

Film: The Undetected Rapist

The Undetected Rapist

- Do you Frank's behavior was premeditated?
 - If yes, what demonstrated premeditation?
- Would you consider what Frank described as rape/sexual assault?
- Do you think any of Frank's behaviors could be considered stalking?
- Do you think individuals like Frank may contact their victims after the assault?

Post-Assault Contact

Threaten the victim/survivor

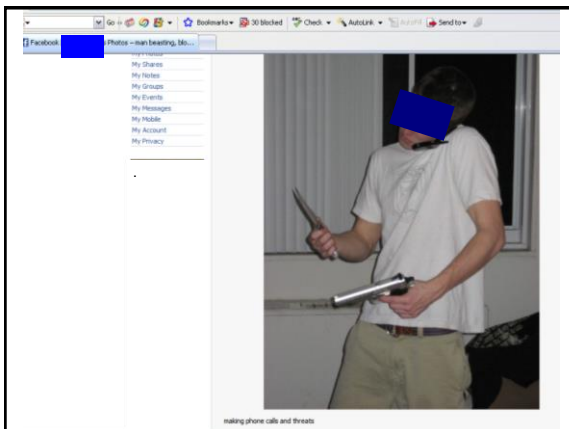
Discover what the victim/survivor is thinking

Try and frame the incident for the victim/survivor

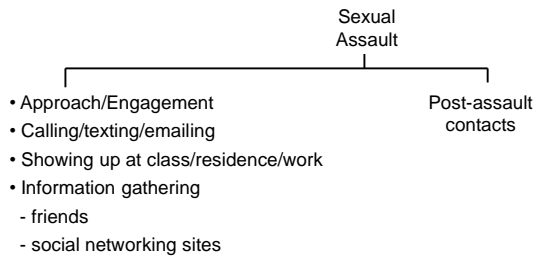
Maintain social contact

Think Broadly About “Contact”

- ☐ In-person contact
- ☐ Third person contact
- ☐ Phone
- ☐ Texting
- ☐ Email
- ☐ IM/Chat
- ☐ Social Networking Sites
 - ☐ Contact with victim
 - ☐ Postings to own or other people's sites



Course of Conduct



What do you think?

Is there a connection between stalking and sexual assault?

What benefit is there to making a connection between stalking and sexual assault?

Making the Connection

Validating Victims' Experiences

Increased Opportunities for Intervention

Increased Offender Accountability

Validation of Victims' Experiences

- Provides context
- Places blame solidly on the perpetrator
- Provides additional proof

Enhanced Opportunities for Intervention

- With victims/potential victims
- With offenders/potential offenders
- With all members of our campus/community



Bystander intervention

Increased Offender Accountability

- Can provide contextual evidence in a discipline/conduct hearing or a criminal case
 - To prove a course of conduct, the state may introduce evidence that would otherwise be inadmissible
- If viewed within the correct context of the law, stalking statutes can criminalize seemingly benign behaviors
- Multi-count complaints also provide a fallback if the jury/hearing board believe not all elements of sexual assault have been proven

Victims of Stalking



Impact of Stalking

- ☐ Minimization; Self-blame
- ☐ Guilt, shame or embarrassment
- ☐ Frustration, Irritability, Anger
- ☐ Shock and confusion
- ☐ Fear and anxiety
- ☐ Depression
- ☐ Emotional numbness
- ☐ Flashbacks
- ☐ Isolation/disconnection from other people
- ☐ Difficulties with concentration or attention
- ☐ Feeling suicidal
- ☐ Decreased ability to perform at work or school, or accomplish daily tasks
- ☐ Post-traumatic stress disorder (PTSD)
- ☐ Sleep disturbances, nightmares
- ☐ Sexual dysfunction
- ☐ Fatigue
- ☐ Fluctuations in weight
- ☐ Self-medication with alcohol/drugs
- ☐ Feeling on guard most of the time - hypervigilance

Impact on Victims

Afraid of:

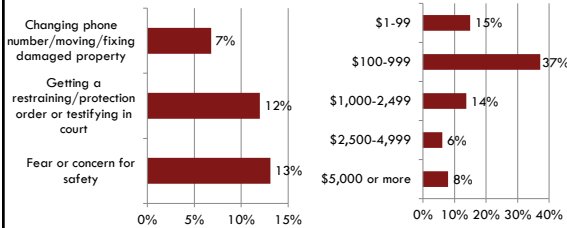
- ☐ 46% not knowing what would happen next
- ☐ 30% bodily harm
- ☐ 29% behavior would never stop
- ☐ 13% harm or kidnap a child
- ☐ 10% loss of freedom
- ☐ 9% death
- ☐ 4% losing one's mind

- Stalking Victimization in the United States, BJS (2009)

Impact on Victims

1 in 8 of employed victims lost time from work

More than half lost 5 days or more



- Stalking Victimization in the United States, BJS (2009)

Victims' Voices

"It's not easy to describe the fear you have when you see the stalker, or signs of the stalker, everywhere you go. I have given up all hopes of ever having a safe life. For the rest of my life, I will be looking over my shoulder, expecting to see him there."

Threat Assessment

What Does Threat Assessment Tell Us?

Snapshot showing whether a specific person demonstrates a risk at a particular point in time.

- ❑ We cannot use a threat assessment to determine that a person is **not** a risk.
- ❑ Threat level not fixed or constant.
 - Frequent assessments of threat are important.
 - Threat assessments should be as dynamic as the situation the victim faces.

More Dangerous Times

Separation

Protective order served/criminal arrest

Offender's loss of job, other life events

Multiple incidents in a short period of time – increase in quantity of contacts as well as escalation in behaviors

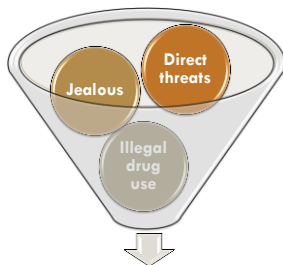
Most Dangerous Offenders

- ☐ History of substance abuse
- ☐ History of mental illness
- ☐ History of violence, especially towards victim
- ☐ Threats of murder or murder-suicide
- ☐ Actual pursuit
- ☐ Possession and/or fascination with weapons
- ☐ Vandalism & arson
- ☐ Tendency towards emotional outbursts and rage
- ☐ History of violating protection orders

Look at Offender's Behaviors

- ☐ Pattern of increasingly more personal communication
- ☐ Any changes (increase or decrease) in the frequency of activities or communications?
- ☐ Evidence of planning?
- ☐ Possess instructional books or materials about harming others

IP Stalking Violence

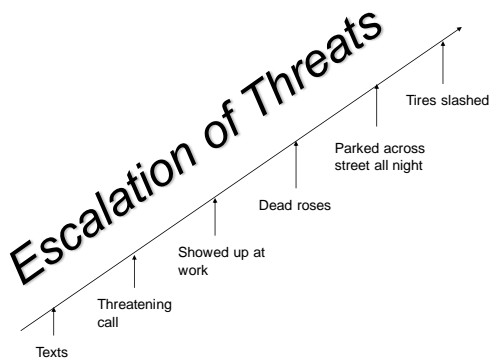
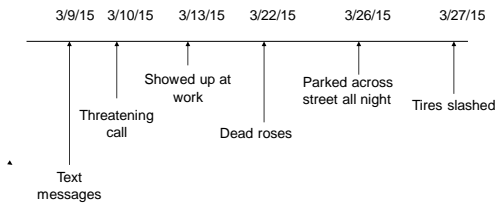


Where there is evidence of the presence of all of these factors, the risk of stalking violence is heightened.

- Women's Experience of Violence During Stalking by Former Romantic Partners (2005)

Timeline

- Look for escalation of threats



Threat Assessment Tools

Among others...

- Danger Assessment - dangerassessment.org
- Mosaic - mosaicmethod.com
- Spousal Risk Assessment Guide (SARA)
- Violence Risk Assessment Guide (VRAG)
- Level of Service Inventory – Revised (LSI-R)
- The Classification of Violence Risk (COVR)

Safety Planning

What Is Safety Planning?

An individualized plan that identifies specific strategies and interventions that may increase safety.

- Provides practical ways to decrease risk
- Puts victims in contact with a variety of services, agencies, and individuals who can help
- Is not a guarantee of safety, but can assist in improving safety

Safety Planning

Risk Reduction

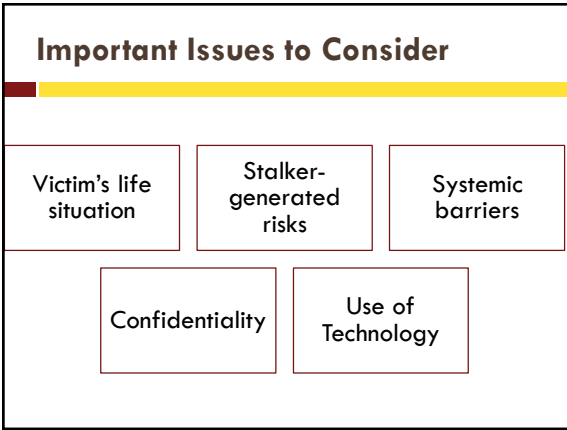
- Practical tips for safety

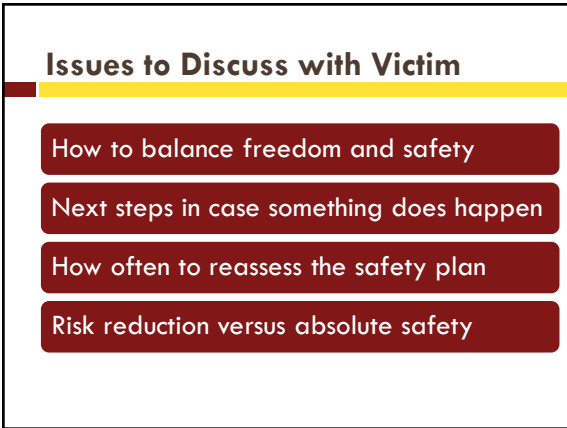
Resources

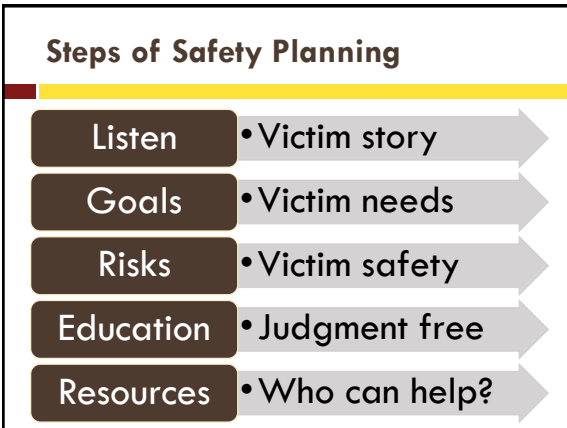
- Services
- Individuals

Empowerment

- Coping Skills
- Autonomy







Safety Plan		
Identify the Problem	Are there things that increase the risk?	Who else is affected?
Safety Strategies (What will help?)		
Who can help?	How?	What do they need to help?

Identify the Problem	Are there things that increase the risk?	Who else is affected?
offender knows where I live		roommate, neighbors
Home is not secure	bad locks, poor lighting	roommate
offender knows my family		family
What will help?		
ask neighbors to keep an eye out		
change locks		
get police to scene quickly		
relocate		
Who can help?	How?	What do they need to help me?
police	Arrest stalker	copy of protective order, photo
neighbors	Inform me/call police when offender shows up	photo
roommate	Inform me/call police when offender shows up	copy of protective order, photo
domestic violence program	counseling/advocacy/support	
church	\$ to help change locks	application for funds

CASE SCENARIO

Erica comes to you to discuss a confrontation with her ex-boyfriend, James, whom she dated for about 9 months. The night they broke up, James forced Erica to have sex with him. She never reported this, and is not sure whether or not it was a sexual assault.

This morning when Erica left her apartment, James was parked out in front. When he saw her he came up to her and started yelling at her. He said he was still in love with her and knew deep down that she was in love with him. He told her it didn't matter if she tried to ignore him, he would always be there, and she would see how much he really loved her. James left when a neighbor came out and asked Erica if everything was alright.

Erica goes on to tell you that things were okay the first few months, but then James started getting too intense. He wanted the two of them to spend all their free time together. He would sulk whenever she wanted to spend time with her friends or family, and eventually he started getting angry when she wanted to spend time with other people. James would talk about spending the rest of their lives together even though Erica made it clear that she wasn't looking to settle down at this point in her life. She would try and talk to him about keeping things casual and he would back off for a few weeks, but then just get more intense again. Finally, she decided that she and James clearly wanted different things from the relationship and broke-up with him.

Since they broke up, James hasn't stopped trying to talk with Erica or see her. She gets about 15 - 20 phone calls and texts a day from him. The messages sometimes ask Erica for sex as well. When she went online he would instant message her until she blocked him, which led him to send her an angry, threatening email. He would sometimes show up at places Erica was. At first she thought this was just a coincidence, but it seems really strange how often this happens. She figured if she ignored him he would eventually just go away. However, she is scared of him, and afraid that he will force sex on her again.

Case Scenario

- ☐ What concerns you?
- ☐ Do you think James poses a threat? If so, to whom? Why?
- ☐ What options are available to Erica?
- ☐ What services/resources can you offer to Erica? Where else would you refer Erica?
- ☐ Could you charge James with anything?

Resources

For Victim Service Providers

- ☐ For removal of online information
 - ☐ Safe Shepherd
 - www.safeshepherd.com/advocates
 - ☐ Reputation.com
 - www.reputation.com/domesticviolence
- ☐ Technology Safety Planning
 - ☐ www.nnedv.org

Resources for Victims

- ❑ Are You Being Stalked? (Brochure for Victims)
- ❑ Stalking Questions and Answers
- ❑ Stalking Incident Behavior Log
- ❑ Safety Plan Guidelines
- ❑ Cyberstalking: Dangers on the Information Superhighway
- ❑ Ten Things You Should Know About Stalking

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Stalking resource center

Training

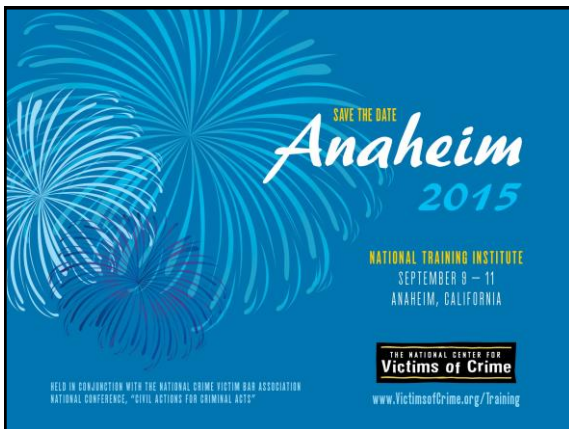
Technical Assistance

Resources

- ❑ In person training
- ❑ Webinars
- ❑ Individual & organizational assistance
- ❑ Fact sheets, brochures, manuals, guides
- ❑ Policy/protocol development & consultation
- ❑ Videos
- ❑ Online resources
- ❑ Stalking Awareness Month materials

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